



PUBLIC DEFENDER COMMISSION

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STATE PUBLIC DEFENDER

ANNUAL REPORT

FISCAL 1984

ASSURING THE PUBLIC DEFENSE:

THE RIGHT TO COUNSEL AND THE SYSTEM IN MISSOURI

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PUBLIC DEFENDER COMMISSION
ANNUAL REPORT FISCAL 1984
ASSURING THE PUBLIC DEFENSE:
THE RIGHT TO COUNSEL AND THE SYSTEM IN MISSOURI

I. Historical Perspective

The Sixth Amendment to the Constitution of the United States provides:

In all criminal prosecutions, the accused shall enjoy the right to....have the assistance of counsel for his defense.

Article I, Section 18 (a) of the Constitution of Missouri provides:

That in criminal prosecutions the accused shall have the right to appear and defend, in person and by counsel;....

Decisions of the United States Supreme Court beginning in 1932 with Powell v. Alabama, 287 U.S. 45 through Argersinger v. Hamlin, 407 U.S. 25 (1972) have extended the scope of the right to counsel to virtually all stages of a felony or misdemeanor prosecution--from advice during interrogation at arrest through appeal from conviction and hearings to revoke probation or parole. The Supreme Court has also mandated that to satisfy the constitution, "effective assistance of counsel" must be provided. Powell v. Alabama, 87 U.S. 45 (1932). This right to effective assistance of counsel has been extended to include juveniles and the mentally ill and the burden is placed upon the states to insure that such assistance is available in all cases. Adequate support for the provision of counsel is required by society's interest in a criminal justice system which is both effective and consistent with the principals of individual freedom and human dignity.

Effective assistance of counsel serves vital interests of the individual and of society as a whole because it is an integral part of the criminal justice system. An accused individual is provided the help of counsel to insure a fair and impartial trial and to protect against wrongful conviction of inappropriate punishment. A free society benefits from accurate determinations of guilt, humane treatment of offenders, and efficient fair procedures that encourage respect for law. If one person's rights are jeopardized because of an inability to pay for assistance of counsel, then the rights of us all hang in the balance.

Only society as a whole has the necessary resources to finance defense systems. Although the responsibility of paying for defense services rests on government, it also has the obligation to insure that these services are administered in the most efficient and cost-effective manner possible.

Missouri has a long history since its admission to statehood in 1821 of providing counsel to indigents accused of serious crimes. This was done with the cooperation of lawyers who served without compensation until the Missouri Supreme Court decided in State v. Green, 470 S.W.2d 571 (1971), that lawyers would no longer have to bear the burden alone. In 1972 the general assembly established Missouri's formal programs by authorizing yearly expenditures of up to \$1.8 million in general revenue funds for operating 14 public defender offices and for payments to appointed counsel. Defense was afforded only to those people accused of felonies. The original statute authorized public defender appointments by the Appellate Judicial Commission but made no provisions for program management.

Amendments to the earlier statutes changed the nature and extent of Missouri's public defender and appointed counsel programs. In 1976, a Public Defender Commission was created by statute to administer the programs for both public defenders and appointed counsel. This seven-member commission serves without pay and was charged with the administration of budgets, staffing patterns and program operations. Administrative services were provided to the Public Defender Commission by the Office of State Courts Administrator.

In response to continual problems in funding and managing a mixed court appointed counsel/public defender system, the 81st General Assembly passed HCS HB1169 which created the State Public Defender System as a department in the judicial branch of government.

The State Public Defender System was established as a "system for providing defense services to every jurisdiction within the state by means of a centrally administered organization having a full-time staff." Through this department, constitutionally required defense services are provided to eligible persons through an organized program capable of responding to the needs of all jurisdictions within the state in an efficient, cost-effective manner.

With the revision of Chapter 600 the Public Defender Commission, through the Office of State Public Defender, is able to provide a management perspective to the needs of the State. Defense services are currently provided through

24 full-time public defender offices and through private attorneys on contract to the Public Defender Commission. The contract attorneys serve as the public defender in areas of the state where the caseload does not warrant establishing a full-time defender office. By carefully monitoring the impact of caseload and available resources, a best-fit model recognizing local needs, legal requirements, caseload statistics, geographic limitations, and cost considerations can be used to provide effective assistance of counsel in all jurisdictions.

II. What Does a Public Defender Do?

When an individual is charged with a crime and requests a lawyer, a referral is made to the defender assigned to that jurisdiction. The defender has the accused complete an application for defense services and makes a determination using guidelines developed by the Commission as to whether or not the accused is eligible for public defender representation. If the accused is found not eligible for defender services, the court is notified and no representation is provided. The accused who is found not eligible may appeal the defender's determination to the court for re-examination. If the court disagrees with the defender's determination, the court may order the defender to represent the accused.

As the defender develops an attorney-client relationship with the accused, he must also maintain a working relationship with the prosecutor. The state is represented by the prosecutor, a lawyer, while the accused is represented by the defender, also a lawyer. Both the defender and prosecutor represent their respective clients in court before a judge. The legal transactions before a court of law require the interaction of all three representatives for the handling of a case. In most jurisdictions, the defender is legal counsel for 60-70% of the cases on the criminal docket.

The process of representing the indigent accused includes representing him in all facets of the case. Defenders must interview witnesses, file for discovery, prepare and file required motions, negotiate with the prosecution, prepare trial strategy and do the legal research necessary to represent his client in a court of law. Representation of the accused extends to an appeal if after a trial, the defendant is found guilty.

Using actual data from Fiscal 84, a composite example of a "typical defender" can be developed. This example "typical defender" will represent over 250 persons accused in the course of a year. This means the defender must dispose an average of one case each day to insure he can successfully

manage the cases assigned to him. Approximately 50% of the cases disposed by the typical defender in the course of a year are felonies. The breakdown by category of cases handled by the typical defender in the course of a year is as follows:

Composite Public Defender Caseload
Typical Caseload using FY 1984 Caseload Data

<u>Type of Case</u>	<u>Number of cases each year</u>
Capital Murder	2
Other Homicide	2
Felonies	115
Misdemeanors	72
Juvenile	24
27.26	5
Probation Violations	23
Extraditions	2
Writs	1
Appeals	<u>4</u>
	250 cases handled each year

To further clarify the workload demands placed on public defenders, our typical defender must be prepared to go to trial or to enter a plea of guilty every other day of each week throughout the year. When you consider the time necessary to provide effective assistance of counsel in each case and the demands for disposing of cases, it is apparent how heavy the demand for legal services is.

III. Caseload and Cost Highlights and Comparisons

A. Caseload and Costs

1. New Cases

- The State Public Defender System recorded 32,130 new cases in Fiscal 1984.
- The largest number of new cases were in the felony category with 15,399 new cases which represents 47% of all new cases during the period.
- 49% of the new cases received were in the greater Kansas City and greater St. Louis area (St. Louis City, St. Louis County, St. Charles County and Jackson County).

2. Cases Closed

- The State Public Defender System closed 31,730 cases in Fiscal 84. This is a 32% increase in the number of closed cases since 1980 when 24,800 cases were closed.

- Public Defenders tried nearly 1,500 criminal cases in Fiscal 84 which represented nearly 6% of all felony and misdemeanor dispositions. There were over 13,000 guilty pleas which represented 53% of all felony and misdemeanor dispositions.

3. Cost of Cases Closed

- The average cost for all disposed cases in Fiscal 84 was \$133.76. This is well below the Fiscal 83 average of \$147.58 and compares very favorably to the last computed average under the old appointed counsel system of \$390.00 per case. In a recently released Department of Justice Study of Criminal Defense Systems in the United States, Missouri is 13th out of 50 states and the District of Columbia in cost-effectiveness. The national average cost per disposed case is \$196.00

B. How Does Missouri Compare with Other States?

The U.S. Department of Justice, Bureau of Justice Statistics Special Report on Criminal Defense Systems Issued in August 1984 indicates that Missouri has the 25th highest caseload of the 50 states and the District of Columbia. However, per capita spending in Missouri of \$.90, places Missouri 48th in the nation. Per capita expenditures for public defender services in states neighboring Missouri are much higher. Illinois spends \$2.21 per capita and Iowa spends \$2.19. Kansas, which ranks 34th nationally, expends \$1.49 per capita. The average per capita cost for all jurisdictions in the United States is \$2.76.

C. Collection of Information

The close of FY84 brought the second complete year of operation to the State Public Defender System. To insure the ability to properly report and manage the diverse needs of the State, a complete caseload data collection system has been implemented which provides specific information on the operation of each defender office. Case information is collected each month from each defender for each county in Missouri.

There are two categories of caseload data collected. The first is caseload assignments and dispositions and the second is caseload activity.

1. Caseload Assignments - When cases are referred to the public defender by the court system or by direct contact with the client, initial information is collected from the client regarding the charges filed against him. Cases referred and assigned to the State Public Defender System are classified in the following eleven categories:

- a) Capital Murder
- b) Other Homicide
- c) Other Felony
- d) Misdemeanor
- e) Juvenile
- f) Post Conviction Relief - 27.26
- g) Chapter 552
- h) Probation Violation
- i) Extradition
- j) Writ
- k) Direct Appeal

In some cases multiple charges or counts are filed by the prosecutors. Public defenders count these matters for assignment reporting purposes as one case and classify the case by the most serious charge. By accurately counting cases when they are first assigned to the public defender, we can insure that we keep specific records regarding the total cases assigned. As the judicial process continues, each case which has been assigned can be disposed in one of three ways:

- a) dismissal
- b) withdrawal
- c) sentence

When a case is dismissed, it is removed from the inventory of open cases. Public defenders might withdraw from cases for a number of reasons. Typical reasons for withdrawal would include a conflict of interest or when a client is found not to be indigent. When a conflict of interest develops, the case is usually referred to the State Public Defender who assigns the case to an alternate defender. When a client is found not indigent, the court is informed and the State Public Defender System does not provide representation. A case is disposed by sentencing when there is final disposition by the court. This final action removes the case from the open

Inventory of cases and is the final step with a case.

2. Caseload Activity - The second major category of caseload information deals with caseload activity. When a case is disposed, it may be disposed in a variety of ways. It is important to monitor the variety of ways cases are disposed because they have a significant impact on how heavy a workload each defender has. For capital murder, homicide, felony, and misdemeanors, the possible activity types for disposition are:

- a) Dismissal before preliminary hearing
- b) Dismissal after preliminary hearing
- c) Guilty Plea
- d) Not guilty by reason of mental disease or defect.
- e) Trial by court
- f) Trial by jury

The importance of keeping case activity information for each case disposition can be demonstrated with a simple example. Assume that two felony cases with separate clients were assigned to the Public Defender System and both were sentenced by the court. In these two cases, both would be assigned as felonies and both would be disposed as sentenced felonies. The importance of case activity is clear if you consider that in one case the client may have entered a plea of guilty and been sentenced while in the other case the client may have had a jury trial, been found guilty and had a sentence imposed. The statistical system we have developed would properly record the assignment and disposition or flow of the cases into and out of the Public Defender System while the case activity would properly record the great difference in the amount of time necessary to provide representation and the complexity of the legal issues involved. It has been estimated that the typical felony jury trial requires more than three times the work than that of the representation when a plea of guilty results.

Case activity categories for juvenile, 27.26 cases, chapter 552 cases, probation violation, extradition, and writs are:

- a) dismissal
- b) disposed through hearing

Direct appeals to either one of the three Courts of Appeal or to the Missouri Supreme Court have two case activity categories reflecting the two major categories of activities for appeals:

- a) preparation and submission of the brief
- b) preparation and presentation of oral argument

D. Case Assignments

There were 32,130 cases assigned to public defenders in fiscal year 1984.

Felony cases were by far the largest category with 15,399 cases assigned. Cases with misdemeanor charges were the second largest category with 9,256.

Combined, cases with felony and misdemeanor charges represent over 77% of the total cases assigned. The details of the relationship in percent for all cases assigned by category is presented in Figure 1.

STATE PUBLIC DEFENDER SYSTEM
CASELOAD ASSIGNMENTS
FISCAL YEAR 1984

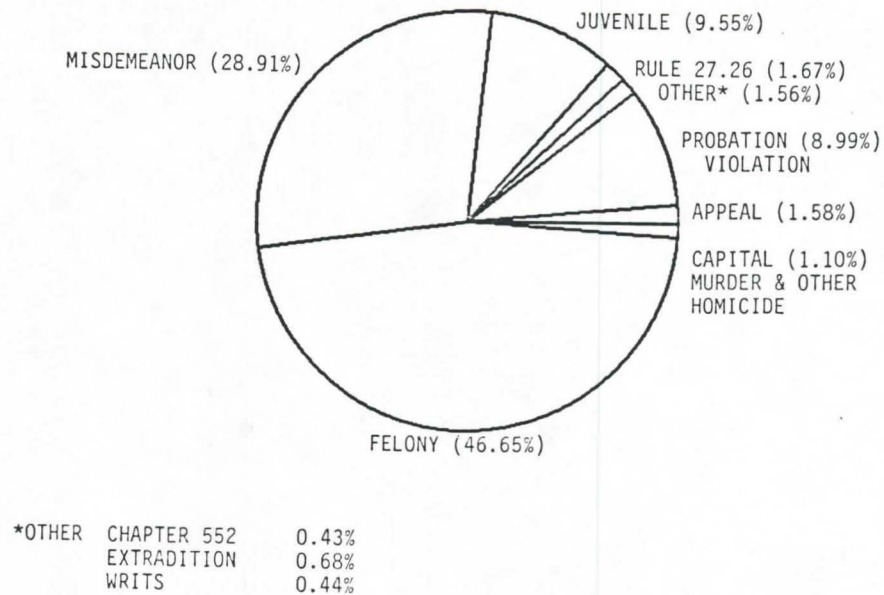


Figure 1

The actual number of assignments and dispositions by category of cases for fiscal year 1984 can be found in the Appendix at Table 1.

E. Case Dispositions

There were 31,730 cases disposed by public defenders in fiscal year 1984. This represents a 32.2% increase in the number of dispositions since fiscal year 1980.

The trend of an increasing number of dispositions has continued since the inception of a public defender program in 1972. The increase in dispositions since fiscal year 1980 is portrayed in Figure 2.

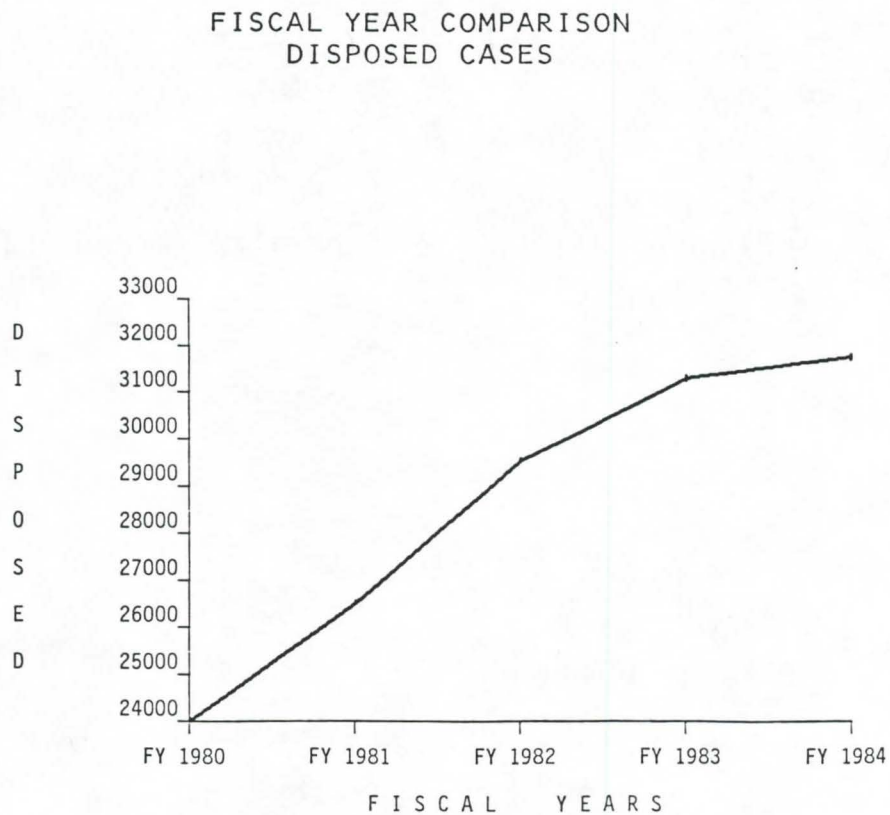


Figure 2

One measure of how well the State Public Defender System is managing the caseload is the disposed to assigned ratio. If defenders are disposing of more cases than they are assigned, the disposed to assigned ratio is greater than one. If more cases are assigned than disposed, the disposed to assigned ratio would be less than one, indicating a growing backlog of cases.

The disposed to assigned ratio for the past year for the State Public Defender System was 0.987 or for every 100 cases assigned, public defenders were able to dispose of 98.7 cases. Considering the impact of absorbing cases in every jurisdiction, defenders were able to keep the disposed to assigned ratio very close to the ideal of 1.00.

The specific number of cases assigned and disposed, as well as the disposed to assigned ratio, for each public defender area can be found in the Appendix at Table 2.

A breakdown of cases assigned, cases disposed, and the disposed to assigned ratio for each county can be found in the Appendix at Table 3.

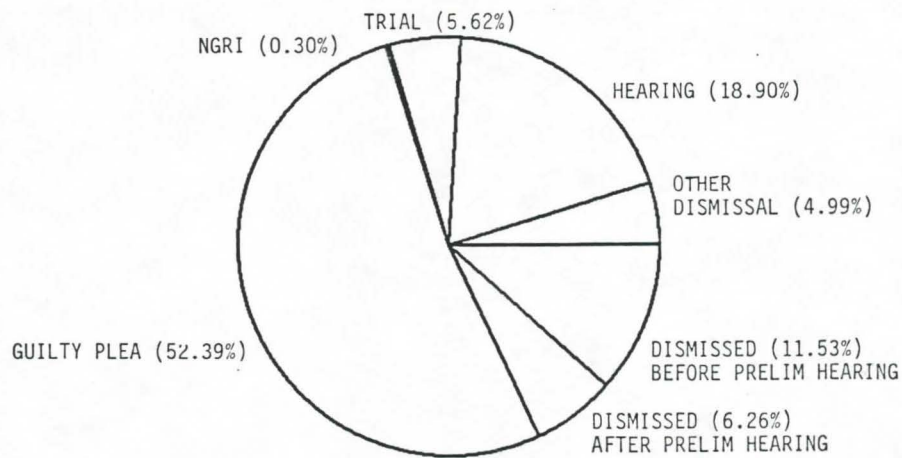
F. Case Activity

The collection of information on how cases are disposed in the trial courts is very important when evaluating the workload and time impact of cases on public defenders. The categories of case disposition activity in the trial courts for capital murder, homicide, felony, and misdemeanor cases are dismissal before preliminary hearing, dismissal after preliminary hearing, guilty plea, not guilty by reason of mental disease or defect, and by trial.

For juvenile, 27.26, Chapter 552, probation violation, extradition, and writs, cases are disposed in the trial court by dismissal or through a hearing.

The percent for each of the case activity categories for the State Public Defender System is presented in Figure 3.

TRIAL COURT DISPOSITIONS ACTIVITY CATEGORIES



OTHER DISMISSAL INCLUDES: JUVENILE, RULE 27.26, CHAPTER 552, PROBATION VIOLATIONS, EXTRADITION AND WRITS

Figure 3

The specific number of types of dispositions by case category can be found in the Appendix at Table 4.

G. Cost of Public Defense

With the opportunity to respond to the variety of needs throughout the State with different types of programs, the Public Defender Commission has been able to keep the cost for disposed cases very low. The average cost for disposed cases in fiscal year 1984 was \$133.76. This average is well below the fiscal year 1983 average of \$147.58 and as a comparison, the last computed average cost for disposed cases under the old appointed counsel system was \$390.00 per case.

While keeping the cost for each disposed case very low, the Public Defender Commission was able to operate the program very efficiently. Approximately 6% of all monies expended by the Public Defender Commission was used for administrative services in fiscal year 1984.

For fiscal year 1984, 86.55% of all funds expended by the Public Defender Commission was allocated to the

delivery of defense services to the various jurisdictions in Missouri.

The balance of the expenditures (7.42%) was used to pay the State's obligation to attorneys who were appointed prior to April 1, 1982.

The percentage breakdown of the fiscal year 1984 expenditures to the Public Defender Commission is shown in Figure 4.

FISCAL YEAR 1984
PUBLIC DEFENDER COMMISSION EXPENDITURES

<u>Category</u>	<u>Dollars</u>	<u>% of Total</u>
Defense Services	\$4,418,632	86.55%
Administrative Services	307,734	6.03%
Appointed Counsel	378,925	7.42%
	<u>\$5,105,291</u>	<u>100.00%</u>

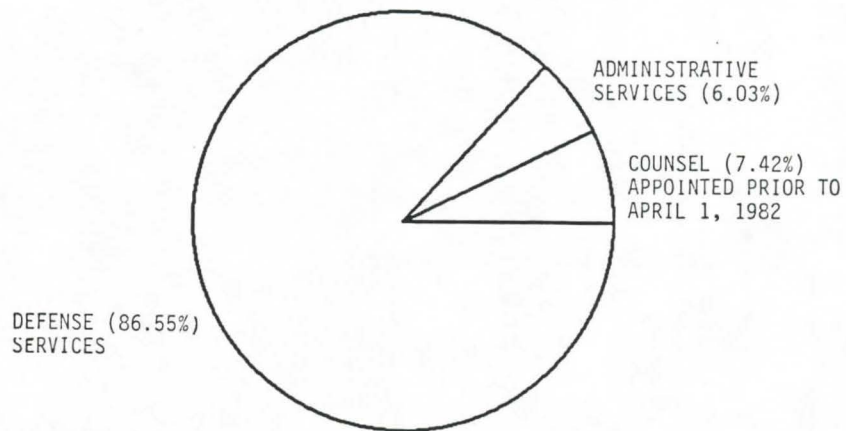


Figure 4

The delivery of defense services for fiscal year 1984, which constitutes 86.55% of the total expenditure, must be accomplished as effectively and efficiently as possible. The figures below show that the cost of operations is kept to an absolute minimum.

As a part of the total spent for defense services, less than 14% of the total was allocated to expense and equipment. The balance, or 86%, was allocated to personal service and contractual agreements. Figure 5 shows this relationship for the total appropriation allocated to defense services.

FISCAL YEAR 1984
PUBLIC DEFENDER COMMISSION
DEFENSE SERVICES

<u>Category</u>	<u>Dollars</u>	<u>% of Total</u>
Personal Service	\$3,407,776	77.12%
Expense and Equipment	549,224	12.43%
Contractual Agreements	461,632	10.45%
	<u>\$4,418,632</u>	<u>100.00%</u>

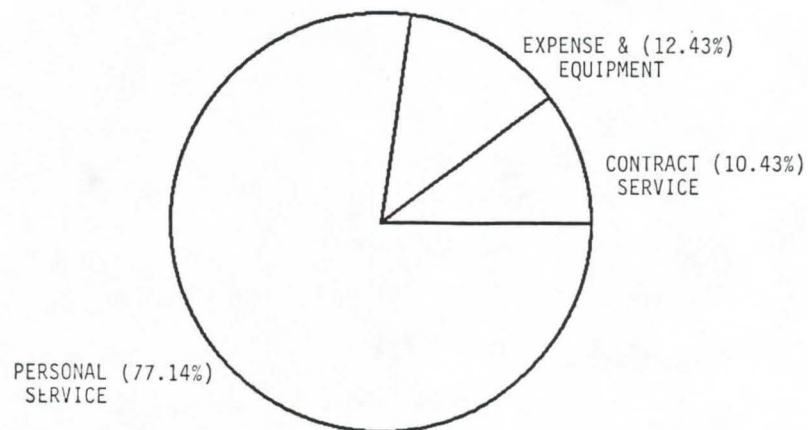


Figure 5

Included in the Appendix at Table 5 is a Summary Sheet for all public defender areas. This table gives the costs for personnel, expense and equipment, total cost for each area, the number of cases assigned and disposed, and the disposed to assigned ratio.

A P P E N D I C E S

Table 1

MISSOURI STATE PUBLIC DEFENDER SYSTEM

FY84 - CASE ASSIGNMENT TOTALS

CASE CATEGORY	TOTAL ASSIGNED	% OF TOTAL ASSIGNED	TOTAL DISPOSED
Capital Murder	176	0.5	150
Homicide	175	0.5	162
Felony charges	15,048	46.9	15,564
Misdemeanor charges	9,256	28.8	8,670
Juvenile matters	3,058	9.5	3,050
Rule 27.26	534	1.7	425
Chapter 552	139	0.4	113
Probation Violations	2,878	9.0	2,772
Extradition	218	0.7	195
Writs	142	0.4	128
Direct Appeals	506	1.6	501
Totals	32,130	100.0%	31,730

Disposed to Assigned ratio = 0.987

Table 2

MISSOURI STATE PUBLIC DEFENDER SYSTEM
 ASSIGNMENT TOTALS BY DEFENDER AREA - FISCAL 1984

Area 01 - Defender - Patrick Wheeler

	JUDICIAL CIRCUIT	TOTAL ASSIGNED	TOTAL DISPOSED	DISPOSED TO ASSIGNED RATIO
Clark County	01	38	32	0.84
Lewis County	02	45	35	0.78
Total for Area		83	67	0.81

Area 03 - Defender - George Ely

	JUDICIAL CIRCUIT	TOTAL ASSIGNED	TOTAL DISPOSED	DISPOSED TO ASSIGNED RATIO
Grundy County	03	55	48	0.87
Mercer County	03	10	11	1.10
Livingston County	43	102	86	0.84
Total for Area		167	145	0.87

Area 04 - Defender - Jefferson Broady

	JUDICIAL CIRCUIT	TOTAL ASSIGNED	TOTAL DISPOSED	DISPOSED TO ASSIGNED RATIO
Atchison County	04	56	63	1.13
Gentry County	04	34	35	1.03
Nodaway County	04	47	48	1.02
Worth County	04	0	0	0.00
Total for Area		137	146	1.07

Area 05 - Defender - Richard W. Dahms

	JUDICIAL CIRCUIT	TOTAL ASSIGNED	TOTAL DISPOSED	DISPOSED TO ASSIGNED RATIO
Holt County	04	39	35	0.90
Andrew County	05	63	62	0.98
Buchanan County	05	451	450	1.00
Total for Area		553	547	0.99

Area 06 - Defender - Susan Chapman

	JUDICIAL CIRCUIT	TOTAL ASSIGNED	TOTAL DISPOSED	DISPOSED TO ASSIGNED RATIO
Buchanan-C County	05	0	3	0.00
Platte County	06	419	416	0.99
Clay-C County	07	17	20	1.18
Jackson-C County	16	21	18	0.86
Total for Area		457	457	1.00

MISSOURI STATE PUBLIC DEFENDER SYSTEM
 ASSIGNMENT TOTALS BY DEFENDER AREA - FISCAL 1984

Area 07 - Defender - Fred Duchardt, Jr.

	JUDICIAL CIRCUIT	TOTAL ASSIGNED	TOTAL DISPOSED	DISPOSED TO ASSIGNED RATIO
Platte-C County	06	4	2	0.50
Clay County	07	831	831	1.00
Total for Area		835	833	1.00

Area 10 - Defender - Thomas R. Motley

	JUDICIAL CIRCUIT	TOTAL ASSIGNED	TOTAL DISPOSED	DISPOSED TO ASSIGNED RATIO
Marion County	10	210	220	1.05
Monroe County	10	38	36	0.95
Ralls County	10	21	23	1.10
Audrain-C County	12	21	22	1.05
Shelby County	41	53	52	0.98
Total for Area		343	353	1.03

Area 11 - Defender - Timothy A. Braun

	JUDICIAL CIRCUIT	TOTAL ASSIGNED	TOTAL DISPOSED	DISPOSED TO ASSIGNED RATIO
Lincoln County	11	98	111	1.13
Pike County	11	183	174	0.95
St. Charles County	11	686	769	1.12
Warren County	12	92	82	0.89
Total for Area		1059	1136	1.07

Area 12 - Defender - Carla Wood Tanzey

	JUDICIAL CIRCUIT	TOTAL ASSIGNED	TOTAL DISPOSED	DISPOSED TO ASSIGNED RATIO
Audrain County	12	142	150	1.06
Montgomery County	12	57	63	1.11
Total for Area		199	213	1.07

Area 13 - Defender - David M. Strauss

	JUDICIAL CIRCUIT	TOTAL ASSIGNED	TOTAL DISPOSED	DISPOSED TO ASSIGNED RATIO
Boone County	13	830	830	1.00
Callaway County*	13	297	269	0.91
Total for Area		1127	1099	0.98

* County handled by contract counsel

MISSOURI STATE PUBLIC DEFENDER SYSTEM
 ASSIGNMENT TOTALS BY DEFENDER AREA - FISCAL 1984

Area 14 - Defender - Thomas J. Marshall

	JUDICIAL CIRCUIT	TOTAL ASSIGNED	TOTAL DISPOSED	DISPOSED TO ASSIGNED RATIO
Schuyler County	01	15	16	1.07
Scotland County	01	19	22	1.16
Adair County	02	56	56	1.00
Knox County	02	9	7	0.78
Putnam County	03	25	31	1.24
Chariton County	09	69	76	1.10
Linn County	09	82	83	0.94
Sullivan County	09	29	33	1.14
Howard County	14	44	53	1.20
Randolph County	14	179	188	1.05
Cooper County	18	60	55	0.92
Macon County	41	75	75	1.00
Total for Area		662	695	1.05

Area 15 - Defender - J. Armin Rust

	JUDICIAL CIRCUIT	TOTAL ASSIGNED	TOTAL DISPOSED	DISPOSED TO ASSIGNED RATIO
Carroll County	08	36	40	1.11
Ray County	08	82	80	0.98
Lafayette County	15	189	203	1.07
Saline County	15	114	112	0.98
Johnson County	17	99	106	1.07
Cooper-C County	18	1	13	0.00
Pettis County	18	165	173	1.05
Moniteau-C County	26	1	22	0.00
Morgan County	26	28	23	0.82
Benton County	30	51	40	0.78
Total for Area		766	812	1.06

Area 16 - Defender - James Fletcher

	JUDICIAL CIRCUIT	TOTAL ASSIGNED	TOTAL DISPOSED	DISPOSED TO ASSIGNED RATIO
Jackson County	16	3451	3501	1.01
Total for Area		3451	3501	1.01

MISSOURI STATE PUBLIC DEFENDER SYSTEM
 ASSIGNMENT TOTALS BY DEFENDER AREA - FISCAL 1984

Area 19 - Defender - Howard L. McFadden

	JUDICIAL CIRCUIT	TOTAL ASSIGNED	TOTAL DISPOSED	DISPOSED TO ASSIGNED RATIO
Cole County	19	456	471	1.03
Osage County	20	30	18	0.60
Moniteau County	26	49	36	0.73
Total for Area		535	525	0.98

Area 20 - Defender - Douglas Levine

	JUDICIAL CIRCUIT	TOTAL ASSIGNED	TOTAL DISPOSED	DISPOSED TO ASSIGNED RATIO
Franklin County	20	483	456	0.94
Gasconade County	20	37	41	1.11
Total for Area		520	497	0.96

Area 21 - Defender - William J. Shaw

	JUDICIAL CIRCUIT	TOTAL ASSIGNED	TOTAL DISPOSED	DISPOSED TO ASSIGNED RATIO
Lincoln-C County	11	1	0	0.00
St. Charles-C County	11	48	38	0.95
Warren-C County	12	6	3	0.50
Franklin-C County	20	40	36	0.90
St. Louis County	21	3948	3933	1.00
St. Louis City-C	22	18	13	0.72
Jefferson-C County	23	36	18	0.50
Total for Area		4097	4041	0.99

Area 22 - Defender - Joseph W. Downey

	JUDICIAL CIRCUIT	TOTAL ASSIGNED	TOTAL DISPOSED	DISPOSED TO ASSIGNED RATIO
St. Louis County-C	21	16	2	0.00
St. Louis City	22	7230	6913	0.96
Total for Area		7246	6915	0.95

Area 23 - Defender - Lawrence Schmidt

	JUDICIAL CIRCUIT	TOTAL ASSIGNED	TOTAL DISPOSED	DISPOSED TO ASSIGNED RATIO
Jefferson County	23	492	433	0.88
Total for Area		492	433	0.88

MISSOURI STATE PUBLIC DEFENDER SYSTEM
 ASSIGNMENT TOTALS BY DEFENDER AREA - FISCAL 1984

Area 24 - Defender - Donald Hager

	JUDICIAL CIRCUIT	TOTAL ASSIGNED	TOTAL DISPOSED	DISPOSED TO ASSIGNED RATIO
St. Francois County	24	304	376	1.24
Ste. Genevieve County	24	32	57	1.78
Washington County	24	96	90	0.94
Total for Area		432	523	1.21

Area 25 - Defender - Peter Sterling

	JUDICIAL CIRCUIT	TOTAL ASSIGNED	TOTAL DISPOSED	DISPOSED TO ASSIGNED RATIO
Maries County	25	32	23	0.72
Phelps County	25	279	294	1.05
Pulaski County	25	142	156	1.10
Texas County	25	84	81	0.96
Laclede County*	26	148	107	0.72
Crawford County*	42	52	64	1.23
Dent County*	42	115	141	1.23
Total for Area		852	866	1.02

Area 26 - Defender - Pearson and Carter

	JUDICIAL CIRCUIT	TOTAL ASSIGNED	TOTAL DISPOSED	DISPOSED TO ASSIGNED RATIO
Crawford County*	42	27	22	0.81
Total for Area		27	22	0.81

Area 27 - Defender - C. John Lozano

	JUDICIAL CIRCUIT	TOTAL ASSIGNED	TOTAL DISPOSED	DISPOSED TO ASSIGNED RATIO
Cass County	17	189	184	0.97
Bates County	27	41	34	0.83
Henry County	27	134	132	0.99
St. Clair County	27	25	35	1.40
Total for Area		389	385	0.99

Area 28 - Defender - Ronald Fisk

	JUDICIAL CIRCUIT	TOTAL ASSIGNED	TOTAL DISPOSED	DISPOSED TO ASSIGNED RATIO
Cedar County	28	30	28	0.93
Vernon County	28	201	192	0.96
Total for Area		231	220	0.95

MISSOURI STATE PUBLIC DEFENDER SYSTEM
 ASSIGNMENT TOTALS BY DEFENDER AREA - FISCAL 1984

Area 29 - Defender - Raymond Gordon

	JUDICIAL CIRCUIT	TOTAL ASSIGNED	TOTAL DISPOSED	DISPOSED TO ASSIGNED RATIO
Barton County	28	38	33	0.87
Jasper County	29	535	516	0.96
McDonald County	40	153	117	0.76
Newton County	40	175	168	0.96
Total for Area		901	834	0.93

Area 31 - Defender - T. Patrick Deaton

	JUDICIAL CIRCUIT	TOTAL ASSIGNED	TOTAL DISPOSED	DISPOSED TO ASSIGNED RATIO
Dade County	28	23	27	1.17
Dallas County	30	41	51	1.24
Hickory County	30	24	23	0.96
Polk County	30	56	48	0.86
Webster County	30	71	45	0.63
Greene County	31	853	920	1.08
Total for Area		1068	1114	1.04

Area 32 - Defender - Gary Robbins

	JUDICIAL CIRCUIT	TOTAL ASSIGNED	TOTAL DISPOSED	DISPOSED TO ASSIGNED RATIO
Perry County	24	31	23	0.74
Bollinger County	32	108	112	1.04
Cape Girardeau County	32	520	501	0.96
Total for Area		659	636	0.97

Area 33 - Defender - Nancy Narrow

	JUDICIAL CIRCUIT	TOTAL ASSIGNED	TOTAL DISPOSED	DISPOSED TO ASSIGNED RATIO
Bollinger-C County	32	2	2	1.00
Cape Girardeau-C Cnty	32	21	15	0.71
Mississippi County	33	150	167	1.11
Scott County	33	249	225	0.90
Stoddard-C County	35	2	5	0.00
Butler-C County	36	15	13	0.87
Total for Area		439	427	0.97

* partial year only

MISSOURI STATE PUBLIC DEFENDER SYSTEM
 ASSIGNMENT TOTALS BY DEFENDER AREA - FISCAL 1984

Area 34 - Defender - Blair Buckley

	JUDICIAL CIRCUIT	TOTAL ASSIGNED	TOTAL DISPOSED	DISPOSED TO ASSIGNED RATIO
New Madrid County	34	280	278	0.99
Pemiscot County	34	204	203	1.00
Total for Area		484	481	0.99

Area 35 - Defender - John Nichols

	JUDICIAL CIRCUIT	TOTAL ASSIGNED	TOTAL DISPOSED	DISPOSED TO ASSIGNED RATIO
New Madrid-C County*	34	13	10	0.77
Pemiscot-C County*	34	11	11	1.00
Dunklin County	35	189	178	0.94
Total for Area		213	199	0.93

Area 36 - Defender - David Woods

	JUDICIAL CIRCUIT	TOTAL ASSIGNED	TOTAL DISPOSED	DISPOSED TO ASSIGNED RATIO
Mississippi-C County	33	15	10	0.67
Scott-C County	33	14	10	0.71
Dunklin-C County	35	6	3	0.50
Stoddard County	35	167	152	0.91
Butler County	36	430	405	0.94
Ripley County	36	78	85	1.09
Carter County	37	29	29	1.00
Wayne County	42	97	90	0.93
Total for Area		836	784	0.94

Area 37 - Defender - Frederick W. Martin, III

	JUDICIAL CIRCUIT	TOTAL ASSIGNED	TOTAL DISPOSED	DISPOSED TO ASSIGNED RATIO
Howell County	37	142	136	0.96
Oregon County	37	28	27	0.96
Shannon County	37	68	68	1.00
Total for Area		238	231	0.97

MISSOURI STATE PUBLIC DEFENDER SYSTEM
 ASSIGNMENT TOTALS BY DEFENDER AREA - FISCAL 1984

Area 38 - Defender - Joseph A. Morrissey

	JUDICIAL CIRCUIT	TOTAL ASSIGNED	TOTAL DISPOSED	DISPOSED TO ASSIGNED RATIO
Christian County	38	20	17	0.85
Taney County	38	48	49	1.02
Total for Area		68	66	0.97

Area 39 - Defender - Garrett and Woods

	JUDICIAL CIRCUIT	TOTAL ASSIGNED	TOTAL DISPOSED	DISPOSED TO ASSIGNED RATIO
Barry County	39	58	63	1.09
Lawrence County	39	89	99	1.11
Stone County	39	99	87	0.88
Total for Area		246	249	1.01

Area 42 - Defender - Kenneth Seufert

	JUDICIAL CIRCUIT	TOTAL ASSIGNED	TOTAL DISPOSED	DISPOSED TO ASSIGNED RATIO
Madison County	24	53	49	0.92
St. Francois-C County	24	38	41	1.08
Iron County	42	77	90	1.17
Reynolds County	42	23	21	0.91
Total for Area		191	201	1.05

Area 43 - Defender - Daniel Chadwick

	JUDICIAL CIRCUIT	TOTAL ASSIGNED	TOTAL DISPOSED	DISPOSED TO ASSIGNED RATIO
Caldwell County	43	24	24	1.00
Clinton County	43	86	78	0.91
Total for Area		110	102	0.93

Area 44 - Defender - Roger Wall

	JUDICIAL CIRCUIT	TOTAL ASSIGNED	TOTAL DISPOSED	DISPOSED TO ASSIGNED RATIO
Douglas County	44	143	128	0.90
Ozark County	44	99	90	0.91
Wright County	44	245	235	0.96
Total for Area		487	453	0.93

MISSOURI STATE PUBLIC DEFENDER SYSTEM
 ASSIGNMENT TOTALS BY DEFENDER AREA - FISCAL 1984

Area 48 - Defender - Joseph Locascio

	JUDICIAL CIRCUIT	TOTAL ASSIGNED	TOTAL DISPOSED	DISPOSED TO ASSIGNED RATIO
Jackson-C County	16	236	225	0.95
Total for Area		236	225	0.95

Area 49 - Defender - Jane Phillips

	JUDICIAL CIRCUIT	TOTAL ASSIGNED	TOTAL DISPOSED	DISPOSED TO ASSIGNED RATIO
St.Louis Cnty-C	21	200	204	1.02
St.Louis City-C	22	570	560	0.98
Total for Area		770	764	0.99

Area 50 - Defender - Lewis Bridges

	JUDICIAL CIRCUIT	TOTAL ASSIGNED	TOTAL DISPOSED	DISPOSED TO ASSIGNED RATIO
Camden County	26	139	172	1.24
Miller County	26	77	82	1.06
Total for Area		216	254	1.18

Area 52 - Defender - Staff

	JUDICIAL CIRCUIT	TOTAL ASSIGNED	TOTAL DISPOSED	DISPOSED TO ASSIGNED RATIO
Dallas-C County	30	1	1	1.00
Hickory-C County	30	2	0	0.00
Polk-C County	30	4	0	0.00
Webster-C County	30	2	1	0.00
Greene-C County	31	69	61	0.88
Total for Area		78	63	0.81

Area 53 - Defender - Syd Weybrew

	JUDICIAL CIRCUIT	TOTAL ASSIGNED	TOTAL DISPOSED	DISPOSED TO ASSIGNED RATIO
Harrison County	03	37	29	0.78
Daviess County	43	45	37	0.82
DeKalb County	43	26	31	1.19
Total for Area		108	97	0.90

MISSOURI STATE PUBLIC DEFENDER SYSTEM
 ASSIGNMENT TOTALS BY DEFENDER AREA - FISCAL 1984

Area 55 - Defender - Staff

	JUDICIAL CIRCUIT	TOTAL ASSIGNED	TOTAL DISPOSED	DISPOSED TO ASSIGNED RATIO
New Madrid-C County	34	3	2	0.67
Pemiscot-C County	34	4	2	0.00
Dunklin-C County	35	3	3	1.00
Stoddard-C County	35	2	2	1.00
Total for Area		12	9	0.75

Area 99 - Staff Assignments

	JUDICIAL CIRCUIT	TOTAL ASSIGNED	TOTAL DISPOSED	DISPOSED TO ASSIGNED RATIO
Various		110	110	1.00
Total for Area		110	110	1.00

Table 3

MISSOURI STATE PUBLIC DEFENDER SYSTEM
 ASSIGNMENT TOTALS BY COUNTY - FISCAL 1984

	JUDICIAL CIRCUIT	TOTAL ASSIGNED	TOTAL DISPOSED	DISPOSED TO ASSIGNED RATIO
Adair County	02	56	56	1.00
Andrew County	05	63	62	0.98
Atchison County	04	56	63	1.13
Audrain County	12	142	150	1.06
Audrain Conflicts	12	21	22	1.05
Barry County	39	58	63	1.09
Barton County	28	38	33	0.87
Bates County	27	41	34	0.83
Benton County	30	51	40	0.78
Bollinger County	32	108	112	1.04
Bollinger Conflicts	32	2	2	1.00
Boone County	13	830	830	1.00
Buchanan County	05	451	450	1.00
Buchanan Conflicts	05	0	3	0.00
Butler County	36	430	405	0.94
Butler Conflicts	36	15	13	0.87
Caldwell County	43	24	24	1.00
Callaway County	13	297	269	0.91
Camden County	26	139	172	1.24
Cape Girardeau County	32	520	501	0.96
Cape Girardeau-C Cnty	32	21	15	0.71
Carroll County	08	36	40	1.11
Carter County	37	29	29	1.00
Cass County	17	189	184	0.97
Cedar County	28	30	28	0.93
Chariton County	09	69	76	1.10
Christian County	38	20	17	0.85
Clark County	01	38	32	0.84
Clay County	07	831	831	1.00
Clay Conflicts	07	17	20	1.18
Clinton County	43	86	78	0.91
Cole County	19	456	471	1.03
Cooper County	18	60	55	0.92
Cooper Conflicts	18	1	13	0.00
Crawford County	42	52	64	1.23
Crawford County	42	27	22	0.81

MISSOURI STATE PUBLIC DEFENDER SYSTEM
 ASSIGNMENT TOTALS BY COUNTY - FISCAL 1984 /

	JUDICIAL CIRCUIT	TOTAL ASSIGNED	TOTAL DISPOSED	DISPOSED TO ASSIGNED RATIO
Dade County	28	23	27	1.17
Dallas County	30	41	51	1.24
Dallas Conflicts	30	1	1	1.00
Daviess County	43	45	37	0.82
DeKalb County	43	26	31	1.19
Dent County	42	115	141	1.23
Douglas County	44	143	128	0.90
Dunklin County	35	189	178	0.94
Dunklin Conflicts	35	6	3	0.50
Dunklin Conflicts	35	3	3	1.00
Franklin County	20	483	456	0.94
Franklin Conflicts	20	40	36	0.90
Gasconade County	20	37	41	1.11
Gentry County	04	34	35	1.03
Greene County	31	853	920	1.08
Greene Conflicts	31	69	61	0.88
Grundy County	03	55	48	0.87
Harrison County	03	37	29	0.78
Henry County	27	134	132	0.99
Hickory County	30	24	23	0.96
Hickory Conflicts	30	2	0	0.00
Holt County	04	39	35	0.90
Howard County	14	44	53	1.20
Howell County	37	142	136	0.96
Iron County	42	77	90	1.17
Jackson County	16	3451	3501	1.01
Jackson Conflicts	16	21	18	0.86
Jackson Conflicts	16	236	225	0.95
Jasper County	29	535	516	0.96
Jefferson County	23	492	433	0.88
Jefferson Conflicts	23	36	18	0.50
Johnson County	17	99	106	1.07
Knox County	02	9	7	0.78
Laclede County	26	148	107	0.72
Lafayette County	15	189	203	1.07
Lawrence County	39	89	99	1.11

MISSOURI STATE PUBLIC DEFENDER SYSTEM
 ASSIGNMENT TOTALS BY COUNTY - FISCAL 1984

	JUDICIAL CIRCUIT	TOTAL ASSIGNED	TOTAL DISPOSED	DISPOSED TO ASSIGNED RATIO
Lewis County	02	45	35	0.78
Lincoln County	11	98	111	1.13
Lincoln Conflicts	11	1	0	0.00
Linn County	09	82	83	0.94
Livingston County	43	102	86	0.84
Macon County	41	75	75	1.00
Madison County	24	53	49	0.92
Maries County	25	32	23	0.72
Marion County	10	210	220	1.05
McDonald County	40	153	117	0.76
Mercer County	03	10	11	1.10
Miller County	26	77	82	1.06
Mississippi County	33	150	167	1.11
Mississippi Conflicts	33	15	10	0.67
Moniteau County	26	49	36	0.73
Moniteau Conflicts	26	1	22	0.00
Monroe County	10	38	36	0.95
Montgomery County	12	57	63	1.11
Morgan County	26	28	23	0.82
New Madrid County	34	280	278	0.99
New Madrid Conflicts	34	13	10	0.77
New Madrid Conflicts	34	3	2	0.67
Newton County	40	175	168	0.96
Nodaway County	04	47	48	1.02
Oregon County	37	28	27	0.96
Osage County	20	30	18	0.60
Ozark County	44	99	90	0.91
Pemiscot County	34	204	203	1.00
Pemiscot Conflicts	34	11	11	1.00
Pemiscot Conflicts	34	4	2	0.00
Perry County	24	31	23	0.74
Pettis County	18	165	173	1.05
Phelps County	25	279	294	1.05
Pike County	11	183	174	0.95
Platte County	06	419	416	0.99
Platte Conflicts	06	4	2	0.50

MISSOURI STATE PUBLIC DEFENDER SYSTEM
 ASSIGNMENT TOTALS BY COUNTY - FISCAL 1984

	JUDICIAL CIRCUIT	TOTAL ASSIGNED	TOTAL DISPOSED	DISPOSED TO ASSIGNED RATIO
Polk County	30	56	48	0.86
Polk Conflicts	30	4	0	0.00
Pulaski County	25	142	156	1.10
Putnam County	03	25	31	1.24
Ralls County	10	21	23	1.10
Randolph County	14	179	188	1.05
Ray County	08	82	80	0.98
Reynolds County	42	23	21	0.91
Ripley County	36	78	85	1.09
Saline County	15	114	112	0.98
Schuyler County	01	15	16	1.07
Scotland County	01	19	22	1.16
Scott County	33	249	225	0.90
Scott Conflicts	33	14	10	0.71
Shannon County	37	68	68	1.00
Shelby County	41	53	52	0.98
St. Charles County	11	686	769	1.12
St. Charles Conflicts	11	48	38	0.95
St. Clair County	27	25	35	1.40
St. Francois County	24	304	376	1.24
St. Francois Conflicts	24	38	41	1.08
St. Louis City	22	7230	6913	0.96
St. Louis City Conflict	22	18	13	0.72
St. Louis City Conflict	22	570	560	0.98
St. Louis County	21	3948	3933	1.00
St. Louis Cnty Conflict	21	16	2	0.00
St. Louis Cnty Conflict	21	200	204	1.02
Ste. Genevieve County	24	32	57	1.78
Stoddard County	35	167	152	0.91
Stoddard Conflicts	35	2	5	0.00
Stoddard Conflicts	35	2	2	1.00
Stone County	39	99	87	0.88
Sullivan County	09	29	33	1.14
Taney County	38	48	49	1.02
Texas County	25	84	81	0.96

MISSOURI STATE PUBLIC DEFENDER SYSTEM
 ASSIGNMENT TOTALS BY COUNTY - FISCAL 1984

	JUDICIAL CIRCUIT	TOTAL ASSIGNED	TOTAL DISPOSED	DISPOSED TO ASSIGNED RATIO
Vernon County	28	201	192	0.96
Warren County	12	92	82	0.89
Warren Conflicts	12	6	3	0.50
Washington County	24	96	90	0.94
Wayne County	42	97	90	0.93
Webster County	30	71	45	0.63
Webster Conflicts	30	2	1	0.00
Worth County	04	0	0	0.00
Wright County	44	245	235	0.96
Assignments	00	110	110	1.00

Total for System		32130	31730	
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Table 4

MISSOURI STATE PUBLIC DEFENDER SYSTEM

FY84 CASE ACTIVITY TOTALS

TRIAL COURT DISPOSITIONS BY TYPE OF ACTIVITY

CASE TYPE	TOTAL ACTIVITY	DISMISSAL PREL HEAR before after	GUILTY PLEA	NGRI *	COURT TRIAL	JURY TRIAL	HEARING
Capital Murder	72	11 15	13	0	2	31	-
Homicide	151	12 24	80	2	0	33	-
Felony charges	10,547	1,617 1,337	6,843	59	178	513	-
Misdemeanor chgs.	8,321	1,252 194	6,199	14	630	32	-
Juvenile matters	2,834	525	-	-	-	-	2,309
Rule 27.26	283	126	-	-	-	-	157
Chapter 552	112	24	-	-	-	-	88
Probation Viol.	2,306	323	-	-	-	-	1,983
Extradition	173	108	-	-	-	-	65
Writs	282	146	-	-	-	-	136
System Totals	25,081	2,892 2,822	13,135	75	810	609	4,738
Percentage of Total		11.5% 11.3%	52.4%	0.3%	3.2%	2.4%	18.9%

* Not guilty by reason of mental disease or defect

APPELLATE COURT ACTIVITY

Appellate Briefs Submitted	400
Appellate Arguments	108

Table 5

STATE PUBLIC DEFENDER SYSTEM
CASELOAD ACTIVITY ANALYSIS - FACTOR MATRIX
PUBLIC DEFENDER AND CONTRACT AREAS
FISCAL YEAR 1984

AREA	DEFENDER	COST FOR PERSONNEL	COST FOR EXPENSE	TOTAL COST	CASES ASSIGNED	CASES DISPOSED	DISPOSED/ ASSIGNED RATIO	COST/ DISPOSITION
01	Wheeler	0	18000	18000	83	67	0.81	268.66
03	Ely	0	21000	21000	167	145	0.87	144.83
04	Broady	0	17000	17000	137	146	1.07	116.44
05	Dahms	84300	23646	107946	553	547	0.99	197.34
06	Chapman	59906	10673	70579	457	457	1.00	154.44
07	Duchardt	85694	12439	98133	835	833	1.00	117.81
10	Motley	40480	9259	49739	343	353	1.03	140.90
11	Braun	105589	19407	124996	1059	1136	1.07	110.03
12	Tanzev	0	22000	22000	199	213	1.07	103.29
13	Strauss	79097	32528	111625	1127	1099	0.98	101.57
14	Marshall	94987	8959	103946	662	695	1.05	149.56
15	Rust	75812	32377	108190	766	812	1.06	133.24
16	Fletcher	456389	51399	507789	3451	3501	1.01	145.04
19	McFadden	86482	9019	95501	535	525	0.98	181.91
20	Levine	58956	14513	73469	520	497	0.96	147.82
21	Shaw	434452	41004	475456	4097	4041	0.99	117.66
22	Downey	750725	63964	814689	7246	6915	0.95	117.81
23	Schmidt	65408	10484	75892	492	433	0.88	175.27
24	Hager	66377	12640	79017	432	523	1.21	151.08
25	Sterling	91853	40874	132727	852	866	1.02	153.26
27	Lozano	0	43000	43000	389	385	0.99	111.69
28	Fisk	0	24000	24000	231	220	0.95	109.09
29	Gordon	77107	33319	110427	901	834	0.93	132.41
31	Deaton	136243	28070	164313	1068	1114	1.04	147.50
32	Robbins	74408	14880	89287	659	636	0.97	140.39
33	Narrow	57549	12301	69850	439	427	0.97	163.58
34	Buckley	62720	6161	68881	484	481	0.99	143.20
35	Nichols	17393	463	17856	213	199	0.93	89.73
36	Woods	78549	19710	98260	944	881	0.94	111.53
37	Martin	0	22000	22000	238	231	0.97	95.24
38	Morrissey	0	18000	18000	68	66	0.97	272.73
39	Garrett & Woods	0	25500	25500	246	249	1.01	102.41
42	Seufert	0	16800	16800	191	201	1.05	83.58
43	Chadwick	0	15000	15000	110	102	0.93	147.06
44	Wall	16180	2057	18237	487	453	0.93	40.26
48	Locascio	86461	14521	100891	236	225	0.95	448.40
49	Phillips	165957	68149	234105	770	764	0.99	306.42
50	Bridges	0	15000	15000	216	254	1.18	59.06
52	Conklin & Jones	0	17000	17000	78	63	0.81	269.84
53	Weybrew	0	16000	16000	108	97	0.90	164.95
TOTALS		\$3,409,074	\$883,116	\$4,292,101	32,089	31,686	0.98	\$133.76